

**IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MISSOURI  
ST. JOSEPH DIVISION**

ANDREA MARTINEZ,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 5:19-cv-06135-FJG
	)	
	)	
UNITED STATES OF AMERICA, EVERETT	)	
CHASE, in his individual capacity, and	)	
RONNET SASSE, in her individual capacity,	)	
	)	
Defendants.	)	
	)	

**Plaintiff's Supplemented Rule 26(a)(1) Disclosures**

Plaintiff presents her Supplemented Disclosures pursuant to Rule 26(a)(1)(A) and 26(e) as follows:

**A) Name of each individual likely to have discoverable information that Plaintiffs may use to support their claims:**

1. Plaintiff, who may be contacted through counsel.
2. Luis Diaz-Inestroza, who can be contacted through his attorney, Megan Galicia (see #4 below), was an eyewitness to the incident that occurred on June 26, 2018.
3. Kenia Bautista-Mayorga, who can be contacted through her attorney, Megan Galicia (see #4 below), was present at the ICE facility on June 26, 2018, where she being reunited with her then 3-year-old son and deported with her son to Honduras.
4. Megan Galicia, 7000 NW Prairie View Rd., Ste. 260, Kansas City, MO 64151, (816) 491-8105, was present with Plaintiff and an eyewitness at the ICE facility on June 26, 2018, when the incident occurred and is Plaintiff's associate attorney.
5. Helen Moreno, 7000 NW Prairie View Rd., Ste. 260, Kansas City, MO 64151, (816) 491-8105, is an office administrator at Plaintiff's law firm.
6. Katrina Palazuelos-Rico, 7000 NW Prairie View Rd., Ste. 260, Kansas City, MO 64151, (816) 491-8105, is a legal assistant at Plaintiff's law firm.

7. Iandra Garcia, 7000 NW Prairie View Rd., Ste. 260, Kansas City, MO 64151, (816) 491-8105, is a legal assistant at Plaintiff's law firm.

8. Claudia Gaytan-Ortiz, 7000 NW Prairie View Rd., Ste. 260, Kansas City, MO 64151, (816) 491-8105, is a receptionist at Plaintiff's law firm.

9. Karina Kelly, 9901 Cody St, Overland Park, KS 66214, (816) 255-5221, is a former legal assistant at Ms. Martinez's law firm.

10. Jorge Martinez, 9403 NW Barry Rd., Weatherby Lake, MO 64153, (816) 491-8105, is Plaintiff's husband.

11. Mark Comfort, 7000 NW Prairie View Rd, Ste 200, Kansas City, MO 64151, (816) 741-7417, is Plaintiff's father.

12. Mimi Comfort, 7000 NW Prairie View Rd, Ste 200, Kansas City, MO 64151, (816) 741-7417, is Plaintiff's mother.

13. Spencer Comfort, P.O. Box 2915, Dillon, CO 80435, (816) 651-9097, is Plaintiff's brother.

14. Monica Mills, P.O. Box 2915, Dillon, CO 80435, (440) 241-7520, is Plaintiff's brother's girlfriend.

15. Victoria Ford, Water Street Family Counseling, 117 N. Water St., Liberty, MO 64068, (816) 286-3878, is Plaintiff's treating therapist following the incident that is the subject matter of this case.

16. Dr. Jeffrey A. Luerding, M.D., Meritas Health Gashland, 9411 N Oak Trafficway #100, Kansas City, MO 64155, (816) 436-1800, is Plaintiff's primary care physician both before and after the incident that is the subject matter of this case.

17. Dr. Archie Heddings, MD, University of Kansas Medical Center, 2090 Olathe Blvd, Kansas City, KS 66103, (913) 945-6412, was Plaintiff's orthopedic physician after the incident that is the subject matter of this case.

18. Dr. Christian Willingham, Saint Lukes North Hospital, 5830 Barry Road, Kansas City, Missouri 64154, (816) 891-6000, was the emergency room physician who treated Plaintiff on June 26, 2018.

19. Dr. Michael DiBernando, Meritas Health Gashland, 9411 N Oak Trafficway #100, Kansas City, MO 64155, (816) 436-1800, treated Plaintiff's injuries and diagnosed her concussion on or about June 29, 2020.

20. Dr. Jessica Jellison, Jellison Integrative Medicine, 8660 West 96th Street, Overland Park, KS 66212, (913) 568-0608, provided adrenal fatigue/low cortisol treatment related to Plaintiff's PTSD diagnosis on or about June 2020.

21. Dr. Rita Stanley, Doctor's Clinic of Kansas City, 4151 N. Mulberry Drive, The Village at Briarcliff, Kansas City, MO 64116, (816) 912-4431, provided adrenal fatigue/low cortisol treatment related to Plaintiff's PTSD diagnosis on or about May 2019.
22. Nicole Cortes, co-director and attorney at the Migrant and Immigrant Community Action (MICA) Project, 1600 S. Kingshighway Blvd., Suite 2N, St. Louis, MO 63110, 314.995.6995, attorney and member of AILA listserve.
23. Kenneth K. Schmitt, founder and principal of US Legal Solutions, 8714 Gravois Rd. St. Louis, Missouri 63123, (314) 729-1049, attorney and member of AILA listserve and a Missouri/KS AILA Chapter Executive Committee Member and Chapter Chair in 2018.
24. Laurie Anderson, 6159 Bandera Ave, Dallas TX 75225, (816) 560-4616, is a pastor and eyewitness in attendance outside the ICE facility on June 26, 2018.
25. Rev. Travis Smith McKee, 627 N. Adams, P.O. Box 265, Cheney, KS 67025, is a pastor and eyewitness in attendance outside the ICE facility on June 26, 2018.
26. Rev. Joshuin Andrew Beck (Andy), 4805 NW 88th Terr., Kansas City, MO 64154, (405) 990-7482, is a pastor and eyewitness in attendance outside the ICE facility on June 26, 2018.
27. Rev. Mindy Fugarino, address and phone number unknown, is a pastor and eyewitness in attendance outside the ICE facility on June 26, 2018.
28. Rev. Dr. James Brandt, St. Paul School of Theology, 8014 Summit St. Lenexa, KS 66215, (913) 484-0695, is a pastor and eyewitness in attendance outside the ICE facility on June 26, 2018.
29. Kathryn L. Fuger, address and phone number unknown, is a pastor and eyewitness in attendance outside the ICE facility on June 26, 2018.
30. Kelly Hansen, 2040 137th Terr., No. 68, Leawood, KS 66224, (913) 402-9102, is a pastor and eyewitness in attendance outside the ICE facility on June 26, 2018.
31. Rev. Bill Rose-Heim, 9401 Johnson Drive, Merriam, KS 66203, (833) 432-1414, is a pastor and eyewitness in attendance outside the ICE facility on June 26, 2018.
32. Rick Behrens, address unknown, (816) 807-6931, is a pastor and eyewitness in attendance outside the ICE facility on June 26, 2018.
33. Diana Yael Martinez Quintana, 744 2<sup>nd</sup> St., Apt. B, Prescott, AZ 86301, (816) 209-4522, is a former community organizer at Advocates for Immigrants' Rights and Reconciliation (AIRR) and has knowledge to support Plaintiff's claims.
34. Zachary Allen Mueller, 744 2<sup>nd</sup> St., Apt. B, Prescott, AZ 86301, (913) 608-0531, was an eyewitness in attendance outside the ICE facility on June 26, 2018.

35. Anderson Rasmussen, 4005 Gladstone Blvd., Kansas City, MO 64123, (816) 352-9933, was an eyewitness in attendance outside the ICE facility on June 26, 2018, who took a video on his personal recording device that he then posted to Facebook and provided to one or more news outlets.

36. Beau & Chelsea Walker, 1005 NW 91st Terr., KCMO 64155, (816) 351-1963 (Beau Walker), (816) 351-2151 (Chelsea Walker), plaintiff's friends, have knowledge to support Plaintiff's claims.

37. Kim Lisby, 8807 NE 80th St., KCMO 64158, (913) 708-1295, plaintiff's friend, has knowledge to support Plaintiff's claims.

38. Crystal Cole, 4620 N. Wyandotte, KCMO 64116, (816) 729-0238, plaintiff's friend, has knowledge to support Plaintiff's claims.

39. Nate and Sara Clausen, 7830 NW Bridle Parc Ln., KCMO 64152, (816) 304-7058 (Nate Clausen), (918) 533-4844 (Sara Clausen), plaintiff's friends, have knowledge to support Plaintiff's claims.

40. Natalie Singletary, 10105 N. Highland Terr., KCMO 64156, (816) 223-4057, plaintiff's friend, has knowledge to support Plaintiff's claims.

41. Lauren Hawkins, 8207 North Harbour Pl., Parkville, MO 64152, (816) 699-3636, plaintiff's friend, has knowledge to support Plaintiff's claims.

42. Plaintiff consulted and/or was advised by the following attorneys after the June 26, 2018 incident and prior to retaining ACLU of Missouri to represent her in this matter:

- Matthew Hoppock, 5949 Nieman Rd., Shawnee, KS 66203, (913) 267-5511
- Michael and Rekha Sharma-Crawford, 515 Avenida Cesar E. Chavez, Kansas City, MO 64108, (816) 994-2300
- Cheryl Pilate, 926 Cherry Street, Kansas City, MO 64106, (816) 471-6694
- Tom Porto, 712 Broadway, Ste. 100, Kansas City, MO 64105, (816) 512-2617
- Andrew Free, 2004 8th Ave S, Nashville, TN 37204, (844) 321-3221

43. IPC Corporation employees, names unknown, 6007 Sepulveda Blvd., Van Nuys, CA 91411, phone numbers unknown, who were present at the ICE Facility on the night of June 26, 2018, and were filming for the Netflix documentary series *Living Undocumented*, have knowledge to support Plaintiff's claims.

44. Josh (last name unknown), 6007 Sepulveda Blvd., Van Nuys, CA 91411, phone number unknown, was present at the ICE Facility with the documentary film crew on the night of June 26, 2018.

45. Kyle (last name unknown), 6007 Sepulveda Blvd., Van Nuys, CA 91411, phone number unknown, was present at the ICE Facility with the documentary film crew on the night of June 26, 2018.

46. Ricardo Ramos, 6007 Sepulveda Blvd., Van Nuys, CA 91411, (915) 487-8261, was present at the ICE Facility with the documentary film crew on the night of June 26, 2018.

47. Anna Chai, 6007 Sepulveda Blvd., Van Nuys, CA 91411, (917) 657-4006, was the executive producer for the documentary *Living Undocumented* and was present at the ICE Facility with the documentary film crew on the night of June 26, 2018.

48. The following media contacts/outlets spoke with Plaintiff about the June 26, 2018 incident. Other than Fox4 News and the Netflix/IPC film crew, Plaintiff does not know which media outlets were present at the facility the night of the incident:

- CNN, Kaylee Hartung, address and phone number unknown;
- CNN, Jamiel Lynch (married name Robinson), address and phone number unknown;
- AILA National, Duygu Eruçman, Washington DC, (202) 507-7640;
- Dos Mundos, Maria Rodriguez, 1701 South 55th Street, Kansas City, KS 66106, (816) 221-4747, ext.713;
- Estrella TV/Noticias 62, Abel Alvarez and Cynthia Marin, Burbank, CA, (714)-728-2430 (Abel Alvarez), (818) 558-4287 (Cynthia Marin);
- KC Star, Mary E. Sanchez, 1729 Grand Blvd., Kansas City, MO 64108, (816) 234-4752;
- SWNS, Shanti Das, address unknown, (646) 873-7565;
- New York Times, Mihir Zaveri, address unknown, (212) 556-8484;
- USA Today, N'dea Yancey-Bragg, address unknown, (302) 383-1013;
- Bustle Breaking News, Molly Longman, address unknown, (646) 937-3440;
- The Daily Beast, Betsy Woodruff, 1825 Connecticut Ave. NW, Ste. 260, Washington DC, (540) 454-8293;
- NBC National News, Farnoush Amiri, address unknown, (714) 396-0905;
- Al Rojo Vivo-NBC Telemundo, Janneth Quintero, address unknown, (305) 812-1259;
- Rep. Emmanuel Cleaver's Office, Manny Abarca, Kansas City, MO, (816) 842-4545;
- Univision, Enrique Grossman Lauria and Andrea Linares, 8551 NW 30th Terr., Miami, FL 33122, (305) 714-7876;
- The Pitch, Traci Angel, Kansas City, MO, (314) 749-2808;
- Dos Mundos, Dermidio (Derby) Juez Perez, Parkville, MO, (816) 505-1100, ext.287;
- Cracked.com, Evan V. Symon, address and phone number unknown;
- CNN Samira Said, address unknown, (404) 827-1511;
- Elle.com, Madison Feller and Yousra Attia, 300 W. 57th St., Fl. 4, NY, NY 10019, (212) 649-7232;
- KCUR Radio 89.3, Dan Margolies, address unknown, (816) 235-5005;
- KSHB 41 Action News, Hailey Godburn, address and phone number unknown

49. Defendant Everett Chase, officer with Immigration and Customs Enforcement (ICE), has knowledge to support Plaintiff's claims.

50. Defendant Ronnet Sasse, officer with Immigration and Customs Enforcement (ICE), has knowledge to support Plaintiff's claims.

51. ICE Officer Paul Dechir, 11125 N. Ambassador Drive, Suite 100, KCMO 64153, (816) 880-5057, has knowledge to support Plaintiff's claims and spoke to Plaintiff to arrange the meeting between Plaintiff's 3-year-old client and his pregnant mother (also Plaintiff's client) prior to their deportation on June 26, 2018.

52. Other persons employed by ICE or agents of ICE or DHS who work in Kansas City may have knowledge of the events described in the complaint, including but not limited to those ICE or DHS employees who work at or for the ICE Enforcement and Removal Operations Facility on Ambassador Drive in Kansas City, Missouri, and who were working on June 25-26, 2018, or spoke to anyone working that night about the events that took place and are the subject matter of this case.

53. Persons employed by the United States Department of Justice who investigated any claim against Officers Chase or Sasse related to the subject matter in the complaint may have knowledge of the events described in the complaint.

54. Persons employed by the United States Federal Protective Service who were called by any ICE Officer on the night of June 26, 2018, or investigated any claim related to the incident on the night of June 26, 2018, that is the subject matter of this case may have knowledge of the events described in the complaint.

55. Persons employed by the Kansas City Police Department or other law enforcement or emergency response personnel who responded to the ICE Facility on June 26, 2018, and investigated the incident or provided treatment and transportation to Plaintiff at or from the scene may have knowledge of the events described in the complaint. The names and contact information for these individuals is not known to Plaintiff but officers from KCPD and an ambulance did respond to the scene and Plaintiff was transported to an emergency room via ambulance.

56. Medical personnel at St. Luke's North Hospital, 5830 NW Barry Rd, Kansas City, MO 64154, (816) 891-6000, who treated her upon arrival in an ambulance immediately following the incident that is the subject matter of this case may have knowledge of the events described in the complaint as it relates to Plaintiff's injury and harm. Plaintiff does not know the names of the medical personnel she interacted with, other than those previously provided here.

**B) The following is a general description by category and location of all documents, data compilations, and tangible things in the possession, custody, or control of Plaintiff or Plaintiff's counsel that the Plaintiff may use to support her claims:**

- Plaintiff's Medical Records
- Police Incident Report
- Photos of injury
- Text messages between Plaintiff and Megan Galicia the night of the incident
- Email correspondence between ICE employees and Platte County Sheriff employees

- Links to media coverage:

<https://fox4kc.com/2018/06/26/immigration-attorney-sustains-cuts-broken-foot-when-shoved-by-ice-agent/amp/>

<https://www.nytimes.com/2018/06/27/us/ice-immigration-attorney-broken-foot.html>

[https://www.washingtonpost.com/news/post-nation/wp/2018/06/26/immigration-lawyer-says-ice-agent-pushed-her-to-the-ground-as-she-went-help-reunite-a-family/?noredirect=on&utm\\_term=.3c5a75fa0940](https://www.washingtonpost.com/news/post-nation/wp/2018/06/26/immigration-lawyer-says-ice-agent-pushed-her-to-the-ground-as-she-went-help-reunite-a-family/?noredirect=on&utm_term=.3c5a75fa0940)

[https://www.washingtonpost.com/video/national/immigration-lawyer-alleges-ice-agent-pushed-her-to-the-ground/2018/06/26/7b8fded4-79ab-11e8-ac4e-421ef7165923\\_video.html?utm\\_term=.d645b7707cef](https://www.washingtonpost.com/video/national/immigration-lawyer-alleges-ice-agent-pushed-her-to-the-ground/2018/06/26/7b8fded4-79ab-11e8-ac4e-421ef7165923_video.html?utm_term=.d645b7707cef)

<https://www.thedailybeast.com/immigration-attorney-says-ice-broke-her-foot-locked-her-up>

<http://www.dailymail.co.uk/news/article-5892169/Lawyer-pushed-ICE-agent-left-fractured-foot-trying-reunite-boy-mom.html>

<https://www.kansascity.com/news/local/article213865689.html>

<https://www.elle.com/culture/career-politics/a29490517/netflix-living-undocumented-andrea-martinez-ice-lawsuit/>

- IPC/Netflix audio and video footage from June 26, 2018
- *Living Undocumented* trailer:  
<https://vandam.netflix.com/shares/53816ded20004aeaa1252204f5b8e2dc?assets=17583787>

The documents referenced will be provided upon entry of an appropriate protective order.

### C) A computation of damages claimed by Plaintiffs:

Plaintiffs' Complaint seeks an award of compensatory and punitive damages as well as Plaintiffs' costs and reasonable attorneys' fees. Plaintiff's damages include:

**Past medical expenses:** \$19,853.39.

**Future medical expenses:** Plaintiff cannot know precisely what medical expenses she will incur in the future. Based upon plaintiff's current medical condition, plaintiff estimates that she will require continuing treatment resulting in medical expenses of at least \$310,800. Plaintiff is still going to therapy 2x per month and is receiving and expects to continue to receive medical treatment for adrenal fatigue related to the incident. The life expectancy of a woman is approximately 80 and Plaintiff is 38 years old. 42 years x 12 months = 504 months. Therapy



sessions are \$100, so the total for 504 months is \$100,800. Plaintiff estimates spending about \$5,000 a year on the adrenal fatigue treatment based on what she has had to have done so far, so that total is \$210,000.

**Past lost earnings associated with medical treatment** (130 hours of missed work due to treatment x \$300 p/hour): \$39,000.

**Future lost earnings associated with medical treatment** (3,004 hours x \$300 p/hour): Plaintiff cannot know precisely what earnings she will lose in the future. Plaintiff estimates that her need for medical treatment will continue resulting in future lost earnings of at least \$901,200. Plaintiff's hourly rate is \$300. Therapy and the adrenal fatigue treatment occur during business hours. She estimates she gets 2 hours of adrenal fatigue treatment a month ( $\$600 \times 504 = \$302,400$ ). Therapy is four hours a month (each visit is an hour of therapy and an hour of travel)  $\$1,200$  a month ( $4 \text{ hours} \times \$300$ )  $\times 504 = \$604,800$ . This estimate for therapy has been reduced by \$6,000 because Plaintiff has been seeing her therapist virtually and anticipates that to continue until at least January 2021 (April 2020 – January 2021).

**Past loss of business opportunity** (130 hours for medical treatment or 3.25 weeks = 7 cases not brought in x \$5,000 flat fee): \$35,000.

**Past and future pain and suffering** (including mental anguish, emotional distress, loss of recreational activity, and loss of enjoyment of life): Compensatory damages for non-economic loss are not capable of specific calculation in advance of trial and are ultimately for the jury or judge to decide. Plaintiff estimates that an appropriate award for past and future pain and suffering, including mental anguish, emotional distress, loss of recreational activity, and loss of enjoyment of life, is at least \$3,080,000. For this, Plaintiff again used a life expectancy of 80 years old, with \$20,000 a year for the continuing foot pain and \$50,000 a year for the mental anguish/loss of enjoyment of life/loss of recreational activities:  $44$  (the past two years and the next 42 years)  $\times \$70,000$ .

**Punitive damages:** Punitive damages are for the jury to decide based on the character and the degree of the wrong in which defendants engaged and the amount appropriate to deter defendants and others from engaging in similar, future conduct. Plaintiff estimates that an appropriate punitive damages award is \$4,300,000.

**D) Relevant insurance agreements:** Not applicable.

Respectfully submitted,

/s/ Gillian R. Wilcox  
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